

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
JUL 18 2016
SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAKIAH KELLI BENNETT,

Defendant.

Case No. 2:15-CR-106-TOR

Preliminary Order of Forfeiture

IT IS HEREBY ORDERED THAT:

As the result of the Defendant's guilty plea to the controlled substance offense in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) charged in Count 7 of the Indictment for which the United States sought forfeiture of assets pursuant to 21 U.S.C. § 853, Defendant, LAKIAH KELLI BENNETT, shall forfeit to the United States any property used or intended to be used to commit or facilitate the commission of such offenses.

The Court has determined, based upon the facts stated in the plea agreement and the Defendant's guilty plea that the following assets are subject to forfeiture pursuant to 21 U.S.C. § 853 and that the United States has established the requisite nexus between such assets described below, and such offense(s):

FIREARM/AMMUNITION:

1) a .357 caliber Smith & Wesson Revolver, Model Lady Smith, bearing serial number CCE1557, and ammunition loaded in said firearm; and,

2) two (2) loaded ammunition magazines for a semi-automatic pistol

1 Upon the entry of this Order, the United States Attorney General (or a designee)
2 is authorized to seize the above-listed assets subject to forfeiture, whether held by the
3 Defendant or a third party, and to conduct any discovery proper in identifying,
4 locating or disposing of property subject to forfeiture, in accordance with Fed. R.
5 Crim. P. 32.2(b)(3).

6 Upon entry of this Order, the United States is authorized to commence any
7 applicable proceeding to comply with statutes governing third party rights, including
8 giving notice of this Order.

9 The United States shall publish notice of the order and its intent to dispose of
10 the property in such a manner as the United States Attorney General may direct.
11 Pursuant to 21 U.S.C. § 853(n), the United States will post notice of this order on the
12 official government internet site (www.forfeiture.gov) for at least 30 consecutive
13 days.

14 The United States may also, to the extent practicable, provide direct written
15 notice to any person known to have alleged an interest in the property that is the
16 subject of this Preliminary Order of Forfeiture, as a substitute for posted internet
17 notice as to those persons so notified. Any person, other than the above-named
18 Defendant, asserting a legal interest in the above-listed property may, within thirty
19 (30) days of the last date of internet posting of notice, or by the date indicated on
20 direct notice, if sent, whichever is earlier, petition the court for a hearing without a
21 jury to adjudicate the validity of his/her alleged interest in the above-listed forfeited
22 assets and for an amendment of the order of forfeiture, pursuant to 21 U.S.C. § 853(n)

23 Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of
24 Forfeiture is final as to the Defendant at the time of sentencing, and is made part of the
25 sentence and included in the judgment.

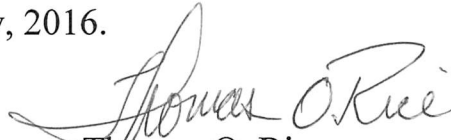
26 After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A)
27 and before a hearing on the petition, discovery may be conducted in accordance with

1 the Federal Rules of Civil Procedure upon a showing that such discovery is necessary
2 or desirable to resolve factual issues.

3 The United States shall have clear title to the above-listed property following
4 the Court's disposition of all third-party interests, or, if none, following the expiration
5 of the period provided in Fed. R. Crim. P. 32.2(c)(2), Rule G(5) and 21 U.S.C. §
6 853(n), for the filing of third party petitions.

7 The Court shall retain jurisdiction to enforce this Order, and to amend it as
8 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

9 ORDERED this 18th day of July, 2016.

10 

11 Thomas O. Rice
12 Chief United States District Judge

13 Presented by:

14 Michael C. Ormsby
15 United States Attorney

16 *s/Jared C. Kimball*

17 Jared C. Kimball
18 Assistant United States Attorney